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10 Attorneys for Plaintiff  
 11 MICHAEL MOODY

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 MICHAEL MOODY,

15 Plaintiff,

16 v.

17 LIBERTY LIFE ASSURANCE COMPANY  
 18 OF BOSTON, THE SYNOPSIS, INC.  
 19 GROUP DISABILITY INCOME PLAN, et  
 20 al.,

21 Defendants.

22 Case No. C07-01017 MHP

23 **STIPULATION AND [PROPOSED]  
 24 ORDER CONTINUING HEARING  
 25 FOR CROSS-MOTIONS FOR  
 26 JUDGMENT**

27 Plaintiff MICHAEL MOODY, through his counsel, and defendants LIBERTY LIFE  
 28 ASSURANCE COMPANY OF BOSTON and THE SYNOPSIS, INC. GROUP  
 29 DISABILITY INCOME PLAN, through their counsel, stipulate as follows:

30 1. The hearing for the parties' Cross-Motions for Judgment was originally set for  
 31 November 17, 2008 at 2:00 p.m. before the Honorable Marilyn Hall Patel. On November 6,  
 32 2008, the Court reset the hearing for the Cross-Motions for November 20, 2008 at 10:00 a.m.  
 33 On November 19, 2008, the Court reset the hearing for the Cross-Motions for December 2,  
 34 2008 at 10:00 a.m.

35 2. Plaintiff's lead counsel, Terrence J. Coleman, is unavailable to appear on the

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Court's continued hearing date of December 2, 2008, due to a previously scheduled and pre-paid family vacation to Disneyland from November 29, 2008 through December 2, 2008.

3. In light of Mr. Coleman's unavailability on December 2, 2008, the parties stipulate to continue the hearing on the Cross-Motions to December 22, 2008 at 2:00 p.m. before this Court, which the parties have confirmed as an available date and time for the Court.

Dated: November 20, 2008

PILLSBURY & LEVINSON, LLP

By: Terrence J. Coleman / BHK  
 Terrence J. Coleman  
 Brian H. Kim  
 Attorneys for Plaintiff  
 MICHAEL MOODY

Dated: November 20, 2008

ROPER, MAJESKI, KOHN & BENTLEY

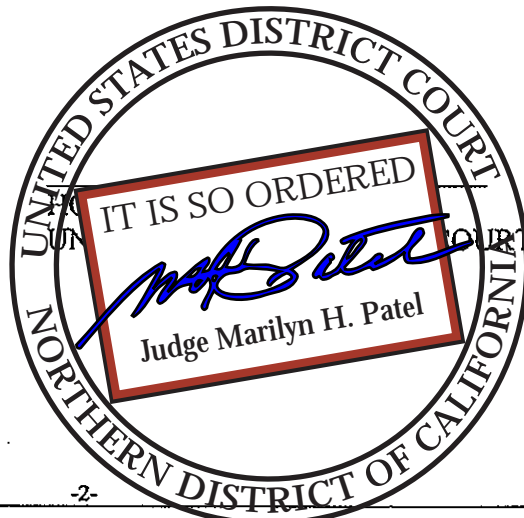
By: [Signature]  
 Pamela E. Cogan  
 Attorneys for Defendants  
 LIBERTY LIFE ASSURANCE COMPANY OF  
 BOSTON; THE SYNOPSIS, INC. GROUP  
 DISABILITY INCOME PLAN

**PROPOSED ORDER**

Pursuant to the stipulation of the parties, the Court orders that the hearing on the parties' Cross-Motions for Judgment shall be continued to December 22, 2008 at 2:00 p.m. before this Court.

IT IS SO ORDERED.

Dated: 11/25/2008



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